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EXAMINER

LU, KUEN S

ART UNIT	PAPER NUMBER
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2167

DATE MAILED: 07/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/050,579

Applicant(s)

LINDEN ET AL.

Examiner

Kuen S. Lu

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-33 and 49-65 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-33 and 49-65 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/12/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendments

1. The Action is responsive to the Applicant's Amendments, filed on May 12, 2005.
2. As for the Applicant's Remarks on claim rejections, filed on May 12, 2005, has been fully considered by the Examiner, please see discussion in the section **Response to Arguments**, following the Office Action for Final Rejection (hereafter "the Action").

Please note the Examiner maintained the same grounds as set forth in the Office Action for non-Final Rejection, dated February 22, 2005, for claims rejection in the Action, as shown next.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained although the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 21-26, 28-33, 49-59 and 60-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bunch (U.S. Patent 6,795,856) in view of Hosken (U.S. Patent 6,438,579).

As per claim 21, Bunch teaches "using a client component which runs on the user's computer in conjunction with a web browser to identify a plurality of items accessed by the user through a plurality of web sites during a web browsing session" (See Fig. 3 and col. 5, lines 57-65 wherein Bunch's a client-side monitoring module running at the client site in parallel with web browser to monitor, log and intercept URL requests of the browser is equivalent to Applicant's using a client component which runs on the user's computer in conjunction with a web browser to identify a plurality of items).

Bunch does not specifically teach "selecting an additional item based at least upon a degree of relatedness between the additional item and each of the plurality of items".

Hosken teaches "selecting an additional item based at least upon a degree of relatedness between the additional item and each of the plurality of items" (See col. 9, lines 39-42 and col. 10, lines 39-43 wherein Hosken's system uses the relationships between the content items to determine a subset of the content items to be referred to the user, and the system correlates a similarity between the user's rating of the content items and other users' ratings for selecting a subset of users to be used to provide recommendations to the user is equivalent to Applicant's selecting an additional item based at least upon a degree of relatedness between the additional item and each of the plurality of items).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine the teachings of Hosken and Bunch references because both references are devoted to capture the information of user's web browsing activities, and the combined reference would have enabled a system to

monitor and record user's interested items and further evaluate, correlate and collaborate for constructing an extended set of items to recommend to the users. Please refer to the Backgrounds (Bunch: col. 2, lines 52-57) and summary of the two references.

Hosken further teaches "recommending the additional item to the user" (See col. 12, lines 12-18 wherein Hosken's a set of content items are identified and refined for recommending to the user is equivalent to Applicant's recommending the additional item to the user).

As per claim 22, Bunch further teaches "the additional item is a web page, a web site or a web address" (See col. 8, lines 47-54 wherein Hosken's web pages visited are presented to the user is equivalent to Applicant's the additional item is a web page, a web site or a web address).

As per claim 23, Bunch further teaches "the plurality of items are web pages, web sites or web addresses" (See col. 8, lines 47-54 wherein Hosken's each time the user navigates to a new web page, the previous web page title, URL are then stored by the client component in memory on the client computer is equivalent to Applicant's the plurality of items are web pages, web sites or web addresses).

As per claim 24, the combined Hosken-Bunch reference teaches "the additional item is recommended to the user through the client component" (See Hosken: the Abstract

where additional items are recommended, and Bunch: col. 8, lines 47-54 where each time the user navigates to a new web page, the previous web page title, URL are then stored by the client component in memory on the client computer).

As per claim 25, Hosken further teaches "degrees of relatedness are based upon scores that take into account browsing history data for a plurality of users" (See the Abstract and col. 11, lines 26-35 wherein Hosken's system saves implicit and explicit ratings data for such content items provided by the users and the values of confidence level for the items are normalized between 0.0 and 9.0 is equivalent to Applicant's degrees of relatedness are based upon scores that take into account browsing history data for a plurality of users).

As per claim 26, the combined Hosken-Bunch reference teaches "wherein degrees of relatedness are based upon a commonality index that takes into account a number of co-occurrences of accesses of a pair of items within a set of web browsing sessions" (See Hosken: col. 9, lines 39-42 and col. 10, lines 39-43 where data related to external polls, rankings and ratings of different items are collected and users are interviewed, surveyed and questioned initially and on-going basis to obtain relative strength of user's interests on items, and Bunch: col. 8, lines 47-54 where each time the user navigates to a new web page suggests accessing a pair of items within a set of web browsing sessions).

As per claim 28, Hosken further teaches "wherein the additional item is selected by a server component that receives an identification of the plurality of items from the client component" (See col. 6, lines 51-61 wherein Hosken's user select an item from a master list and submits to the server is equivalent to Applicant's wherein the additional item is selected by a server component that receives an identification of the plurality of items from the client component).

As per claim 29, Hosken further teaches "wherein the item is a product" (See the Abstract wherein Hosken's the content items are video or audio products is equivalent to Applicant's the item is a product).

As per claim 30, Bunch further teaches "receiving from the client component identifications of a plurality of web addresses browsed by the user during the web browsing session" (See col. 8, lines 47-54 wherein Hosken's each time the user navigates to a new web page, the previous web page title, URL are then stored by the client component in memory on the client computer is equivalent to Applicant's receiving from the client component identifications of a plurality of web addresses browsed by the user during the web browsing session).

As per claim 31, Bunch teaches "the association of web addresses with items is based at least upon content-based analysis" (See col. 11, line 13-19 where user behaviors are analyzed to identify media content attribute and media content item

interests implicitly expressed by the user through browsing activities, and further preferably, the result of this analysis is again a set of binary relations between characterizing attributes of media content items and a relative weighting of the relations representing the strength of the interests is equivalent to Applicant's the association of web addresses with items is based at least upon content-based analysis).

As per claim 32, Hosken teaches "the association of web addresses with items is based at least upon structured-based analysis" (See col. 11, line 13-19 wherein Hosken's user behaviors are analyzed to identify media content attribute and media content item interests implicitly expressed by the user through browsing activities, and further preferably, the result of this analysis is again a set of binary relations between characterizing attributes of media content items and a relative weighting of the relations representing the strength of the interests is equivalent to Applicant's the association of web addresses with items is based at least upon structured-based analysis).

As per claim 33, Hosken further teaches "the association of web addresses with items is based at least upon user identification of items on web pages" (See col. 11, line 13-19 wherein Hosken's user behaviors are analyzed to identify media content attribute and media content item interests implicitly expressed by the user through browsing activities, and further preferably, the result of this analysis is again a set of binary relations between characterizing attributes of media content items and a relative weighting of the relations representing the strength of the interests is equivalent to

Applicant's the association of web addresses with items is based at least upon user identification of items on web pages).

As per claim 49, Bunch teaches the following:

"providing a browser plug-in that runs on a user computer in association with a web browser" (See Fig. 3 and col. 5, lines 57-65 wherein Bunch's a client-side monitoring module running at the client site in parallel with web browser to monitor, log and intercept URL requests of the browser is equivalent to Applicant's providing a browser plug-in that runs on a user computer in association with a web browser); and
"during a current browsing session in which a user accesses a plurality of web sites, receiving from the browser plug-in, at a server which is separate from the user computer, at least an indication of the plurality of web sites accessed by the user" (See Figs. 2-3 and col. 5, lines 22-48 and 57-65 wherein Bunch's client-side monitoring module and server-side supervisor coordinate, monitor and indicate the web sites user accesses is equivalent to Applicant's during a current browsing session in which a user accesses a plurality of web sites, receiving from the browser plug-in, at a server which is separate from the user computer, at least an indication of the plurality of web sites accessed by the user).

Bunch does not specifically teach "selecting a web address to suggest to the user, taking into consideration identities of each of the plurality of web sites accessed by the user during the current browsing session".

Hosken teaches "selecting a web address to suggest to the user, taking into consideration identities of each of the plurality of web sites accessed by the user during the current browsing session" (See col. 9, lines 39-42 and col. 10, lines 39-43 wherein Hosken's system uses the relationships between the content items to determine a subset of the content items to be referred to the user, and the system correlates a similarity between the user's rating of the content items and other users' ratings for selecting a subset of users to be used to provide recommendations to the user is equivalent to Applicant's selecting a web address to suggest to the user, taking into consideration identities of each of the plurality of web sites accessed by the user during the current browsing session).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine the teachings of Hosken and Bunch references because both references are devoted to capture the information of user's web browsing activities, and the combined reference would have enabled a system to monitor and record user's interested items and further evaluate, correlate and collaborate for constructing an extended set of items to recommend to the users. Please refer to the Backgrounds (Bunch: col. 2, lines 52-57) and summary of the two references.

Hosken further teaches "transmitting the web address to the user computer during the current browsing session" (See col. 12, lines 12-18 wherein Hosken's a set of content items are identified and refined for recommending to the user is equivalent to

Applicant's transmitting the web address to the user computer during the current browsing session).

As per claim 50, Bunch further teaches "the server is separate from servers of the plurality of web sites" (See Fig. 2, elements 28s and 30 wherein Hosken's web servers are separate from supervisory web server is equivalent to Applicant's the server is separate from servers of the plurality of web sites).

As per claim 51, Bunch further teaches "the browser plug-in presents the web address to the user during the browsing session" (See col. 8, lines 47-54 where each time the user navigates to a new web page, the previous web page title, URL are then stored by the client component in memory on the client computer).

As per claim 52, Hosken further teaches "the browser plug-in provides an option for the user to deselect one or more of the plurality of accessed web sites to cause a recommendation of said web address to be refined" (See col. 10, lines 4-5 and col. 14, lines 32-35 wherein Hosken's user is enabled to navigate the recommended items set and system is enabled to remove items from the recommended lists suggests teaching of option of removing items from recommended set is available to user is equivalent to Applicant's the browser plug-in provides an option for the user to deselect one or more of the plurality of accessed web sites to cause a recommendation of said web address to be refined).

As per claim 53, the combined Hosken-Bunch reference teaches “the web address is an address of a target web site that is determined to be the most closely related to the plurality of web sites accessed by the user during the current browsing session” (See Hosken: See col. 9, lines 39-42 and col. 10, lines 39-43 wherein Hosken’s system uses the relationships between the content items to determine a subset of the content items to be referred to the user, and the system correlates a similarity between the user’s rating of the content items and other users’ ratings for selecting a subset of users to be used to provide recommendations to the user, and Bunch: col. 8, lines 47-54 wherein Bunch’s location of web sites visited by the user is monitored and logged).

As per claim 54, the combined Hosken-Bunch reference teaches “the web address is an address of a target web site, and is selected such that a selection decision takes into consideration a degree to which the target web site is related to each of the plurality of accessed web sites” (See Hosken: See col. 9, lines 39-42 and col. 10, lines 39-43 wherein Hosken’s system uses the relationships between the content items to determine a subset of the content items to be referred to the user, and the system correlates a similarity between the user’s rating of the content items and other users’ ratings for selecting a subset of users to be used to provide recommendations to the user, and Bunch: col. 8, lines 47-54 wherein Bunch’s location of web sites visited by the user is monitored and logged).

As per claim 55, the combined Hosken-Bunch reference teaches "the degree to which the target web site is related to each of the plurality of accessed web sites is determined by accessing a data structure that stores pre-generated data values reflective of degrees to which specific web sites are related" (See Hosken: See col. 9, lines 39-42 and col. 10, lines 39-43 wherein Hosken's system uses the relationships between the content items to determine a subset of the content items to be referred to the user, and the system correlates a similarity between the user's rating of the content items and other users' ratings for selecting a subset of users to be used to provide recommendations to the user, and Bunch: col. 8, lines 47-54 wherein Bunch's location of web sites visited by the user is monitored and logged).

As per claim 56, the combined Hosken-Bunch reference teaches "wherein selection of the web address takes into consideration a degree to which the target web site is collectively related to the plurality of web sites accessed by the user" (See Hosken: See col. 9, lines 39-42 and col. 10, lines 39-43 wherein Hosken's system uses the relationships between the content items to determine a subset of the content items to be referred to the user, and the system correlates a similarity between the user's rating of the content items and other users' ratings for selecting a subset of users to be used to provide recommendations to the user, and Bunch: col. 8, lines 47-54 wherein Bunch's location of web sites visited by the user is monitored and logged).

As per claim 57, the combined Hosken-Bunch reference teaches "the web address in an address of a target web page, and is selected taking into consideration a degree to which the target web page is related to each of a plurality of web pages accessed by the user while browsing the plurality of web sites" (See Hosken: See col. 9, lines 39-42 and col. 10, lines 39-43 wherein Hosken's system uses the relationships between the content items to determine a subset of the content items to be referred to the user, and the system correlates a similarity between the user's rating of the content items and other users' ratings for selecting a subset of users to be used to provide recommendations to the user, and Bunch: col. 8, lines 47-54 wherein Bunch's location of web sites visited by the user is monitored and logged).

As per claim 58, Bunch further teaches "selection of the web address takes into account frequencies with which different web sites have been accessed by users during the same browsing session, as determined by analyzing session clickstreams of a plurality of users" (See Fig. 4, col. 8, lines 47-54 and col. 9, lines 9-38 wherein Bunch's location of web sites visited by the user is monitored and logged and the server keeps a permanent history log of user's internet activities serving as a basis for email notification and viewable by administrator is equivalent to Applicant's selection of the web address takes into account frequencies with which different web sites have been accessed by users during the same browsing session, as determined by analyzing session clickstreams of a plurality of users).

As per claim 59, the combined Hosken-Bunch reference teaches "the web address is one of a plurality of web addresses selected to concurrently recommend to the user" (See Hosken: See col. 9, lines 39-42 and col. 10, lines 39-43 wherein Hosken's system uses the relationships between the content items to determine a subset of the content items to be referred to the user, and the system correlates a similarity between the user's rating of the content items and other users' ratings for selecting a subset of users to be used to provide recommendations to the user, and Bunch: col. 8, lines 47-54 wherein Bunch's location of web sites visited by the user is monitored and logged).

As per claim 60, Bunch teaches the following:

"at a server, receiving clickstream data from a user computer, said clickstream data reflective of browsing actions performed by a user of the user computer across a plurality of web sites during a current browsing session, said server being separate from servers of said plurality of web sites" (See Fig. 4 and col. 9, lines 9-38 wherein Bunch's the server keeps a permanent history log of user's internet activities is equivalent to Applicant's at a server, receiving clickstream data from a user computer, said clickstream data reflective of browsing actions performed by a user of the user computer across a plurality of web sites during a current browsing session, said server being separate from servers of said plurality of web sites); and
"storing the clickstream data in a memory of the server during the browsing

session" (See Fig. 4 and col. 9, lines 9-38 wherein Bunch's the server keeps a permanent history log of user's internet activities is equivalent to Applicant's storing the clickstream data in a memory of the server during the browsing session).

Bunch does not specifically teach "selecting at least one web address to recommend to the user during the browsing session such that selection of the at least one web address takes into consideration identities of each of the plurality of web sites accessed by the user during the browsing session".

Hosken teaches "selecting at least one web address to recommend to the user during the browsing session such that selection of the at least one web address takes into consideration identities of each of the plurality of web sites accessed by the user during the browsing session" (See col. 9, lines 39-42 and col. 10, lines 39-43 wherein Hosken's system uses the relationships between the content items to determine a subset of the content items to be referred to the user, and the system correlates a similarity between the user's rating of the content items and other users' ratings for selecting a subset of users to be used to provide recommendations to the user is equivalent to Applicant's selecting at least one web address to recommend to the user during the browsing session such that selection of the at least one web address takes into consideration identities of each of the plurality of web sites accessed by the user during the browsing session).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine the teachings of Hosken and Bunch references because both references are devoted to capture the information of user's

web browsing activities, and the combined reference would have enabled a system to monitor and record user's interested items and further evaluate, correlate and collaborate for constructing an extended set of items to recommend to the users. Please refer to the Backgrounds (Bunch: col. 2, lines 52-57) and summary of the two references.

Hosken further teaches "transmitting the at least one web address to the user computer during the browsing session" (See col. 12, lines 12-18 wherein Hosken's a set of content items are identified and refined for recommending to the user is equivalent to Applicant's transmitting the web address to the user computer during the current browsing session).

As per claim 61, Bunch further teaches "the clickstream data is transmitted from the user computer to the server under the control of a browser plug-in that runs on the user computer" (See col. 8, lines 47-67 wherein Bunch's user's activities on web sites are logged for each session and uploaded to the server when user completes the internet session via the client monitoring and server supervisor modules is equivalent to Applicant's the clickstream data is transmitted from the user computer to the server under the control of a browser plug-in that runs on the user computer).

As per claim 62, Bunch further teaches "the browser plug-in provides an option for the user to deselect one or more accessed web locations represented in the clickstream

data to cause a recommendation of the at least one web address to be refined" (See col. 10, lines 4-5 and col. 14, lines 32-35 wherein Hosken's user is enabled to navigate the recommended items set and system is enabled to remove items from the recommended lists suggests teaching of option of removing items from recommended set is available to user is equivalent to Applicant's the browser plug-in provides an option for the user to deselect one or more accessed web locations represented in the clickstream data to cause a recommendation of the at least one web address to be refined).

As per claim 63, the combined Hosken-Bunch reference teaches "the at least one web address is selected using a previously-generated mapping structure that maps web addresses to related web addresses" (See Hosken: Fig. 1B and col. 4, lines 56-65 where an expert compiled database of content item relationship information is used as a basis for selecting content items, and Bunch: col. 8, lines 47-54 wherein Bunch's location of web sites visited by the user is monitored and logged).

As per claim 64, the combined Hosken-Bunch reference teaches "the at least one web address includes an address of a target web site that is determined to be the most closely related to the plurality of web sites accessed by the user (See Hosken: See col. 9, lines 39-42 and col. 10, lines 39-43 wherein Hosken's system uses the relationships between the content items to determine a subset of the content items to be referred to the user, and the system correlates a similarity between the user's rating of the content

items and other users' ratings for selecting a subset of users to be used to provide recommendations to the user, and Bunch: col. 8, lines 47-54 wherein Bunch's location of web sites visited by the user is monitored and logged).

As per claim 65, the combined Hosken-Bunch reference teaches "the at least one web address is selected so as to recommend one or more web sites that are collectively related to a plurality of web locations accessed during the current browsing session" (See Hosken: See col. 9, lines 39-42 and col. 10, lines 39-43 wherein Hosken's system uses the relationships between the content items to determine a subset of the content items to be referred to the user, and the system correlates a similarity between the user's rating of the content items and other users' ratings for selecting a subset of users to be used to provide recommendations to the user, and Bunch: col. 8, lines 47-54 wherein Bunch's location of web sites visited by the user is monitored and logged).

5. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bunch (U.S. Patent 6,795,856) and in view of Hosken (U.S. Patent 6,438,579), as applied to claim 21, and further in view of Ullmann et al. (U.S. Patent 6,683,627, hereafter "Ullmann").

As per Claim 27, the Hosken-Bunch combined reference does not teach "degrees of relatedness are based upon a minimum sensitivity determination", although Hosken teaches collecting user's weighted data set which reflects user's relative interest of items at col. 2, lines 45-47.

Ullmann teaches relationship between the movement of a mouse and the position of cursor display by controlling the movement within the range of minimum sensitivity and maximum sensitivity.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Ullmann's teaching with Hosken and Bunch references by using the concept of sensitivity calculation method to determine the degree of relatedness between two items because the combined teaching would have enabled Hosken's system to utilize the techniques of minimum sensitivity calculation in the process of recommending items of high accuracy and relatedness to users. Please refer to the Backgrounds (Bunch: col. 2, lines 52-57) and summary of the two references.

5. The prior art made of record

- A. U.S. Patent 6,795,856
- B. U.S. Patent 6,438,579
- C. U.S. Patent 6,683,627

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- D. U.S. Publication 2002/0194087
- E. U.S. Patent 6,667,751
- F. U.S. Patent 6,643,696
- G. U.S. Patent 6,112,240

H. U.S. Patent 6,412,012

Response to Arguments

6. The Applicant's arguments filed on November 22, 2004 have been fully considered, but they are not persuasive, for the Examiner's response, please see discussion below.

a). At Pages 2-3, concerning claims 21, 49 and 60, the Applicant argued that the cited references did not meet the three basic criteria to establish *prima facie* case of obviousness.

As to the above argument a), the Examiner respectfully submitted that concerning the combination of the Bunch and Hosken references, the Applicant argued about the three basic criteria to be met for establishing a *prima facie* case of obviousness. In response to applicant's argument that there is no suggestion or motivation to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, both Bunch and Hosken references teach capturing user web browsing activities and the teaching strongly suggests user activity information collection and monitoring. The combined teaching would have enabled a system to monitor and record user's interested items for further evaluating, correlating and collaborating to construct an extended set of

recommended items to users, as described in the background (Bunch: col. 2, lines 52-57) and summary of the two references.

b). At Page 4, concerning claims 21, 49 and 60, the Applicant argued that neither the Bunch nor the Hosken reference teaches limitation "selecting an additional item based at least upon a degree of relatedness between the additional and each of the plurality of items" and "select a web address to suggest to the user, taking into consideration identities of each of the plurality of web sites accessed by the user during the current browsing session".

As to the above argument b), the Examiner respectfully submits, as previously described in the Action, that Hosken's system uses the relationships between the content items to determine a subset of the content items to be referred to the user, and the system correlates a similarity between the user's rating of the content items and other users' ratings for selecting a subset of users to be used to provide recommendations to the user provide the teachings equivalent to the limitations.

7. As to dependent claims (22-33), (50-59) and (61-65), which directly or indirectly depend on independent claims 21, 49 and 60, respectively, the Examiner applies the above stated arguments for the respective claim upon which they depend.

8. In light of the forgoing arguments, the 35 U.S.C. § 103 rejections for claims 21-33 and 49-62 is hereby sustained.

Conclusions

Art Unit: 2167

9. Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuen S. Lu whose telephone number is 571-272-4114. The examiner can normally be reached on 8 AM to 5 PM, Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kuen S. Lu


Patent Examiner

July 15, 2005


Mohammad Ali

Primary Examiner

July 15, 2005